IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 13020 of 2007(Y)

F.I.R.NO.39/06 OF CUMBUMMETTU POLICE STATION

PETITIONER:

JOHN @ KUNJUMON,AGED 30 YEARS,
S/O VARGHESE,PUTHEN PURACKAL HOUSE,MANTHIPARA,
KARUNAPURAM,IDUKKI.

BY ADV. SRI.M.J.THOMAS

RESPONDENTS:

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1. THE DISTRICT SUPERINTENDENT OF POLICE,
IDUKKI.

2. THE CIRCLE INSPECTOR OF POLICE,
NEDUMKANDANM.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC NO.13020 OF 2007

PETITIONER'S EXHIBITS:

EXT.P1:- TRUE COPY OF THE FIRST INFORMATION STATEMENT GIVEN BY THE PETITIONER.

EXT.P2:- TRUE COPY OF THE FIR IN CRIME NO.39/06 OF THE CUMBUMMETTU POLICE STATION.

EXT.P3:- TRUE COPY OF THE FINAL REPORT DATED NIL SUBMITTED BY CUMBUMMETTU POLICE STATION.

[TRUE COPY]

R.BASANT, J.

W.P.C.No.13020 of 2007

Dated this the 4th day of June 2007

JUDGMENT

The grievance of the petitioner is that the police is embarking on an attempt to further investigate the crime in respect of which final report has already been filed without informing the learned Magistrate and without obtaining the requisite leave under Section 173(8) Cr.P.C.

2. The learned Public Prosecutor has taken instructions and statement has been filed by the investigating officer today, it is submitted. Copy has been given to the learned counsel for the petitioner. In the report, it is asserted that no further investigation shall be conducted without complying with the requisite legal formality under Section 173(8) Cr.P.C. I am satisfied, in these circumstances that no directions are necessary in this writ petition. I accept the submissions made at the Bar by the learned Public Prosecutor and the report which is said to be submitted by the investigating officer (a copy has been shown for my perusal).

3. This writ petition is, in these circumstances, dismissed.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007